

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff(s),

CASE NUMBER: 05-80025

HONORABLE VICTORIA A. ROBERTS

v.

D-1 TIMOTHY DENNIS O'REILLY,

Defendant(s).

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**ORDER**

This matter is before the Court on Defendant Timothy O'Reilly's "*Emergency Motion* to Redact Specific Statements from Government's Exhibits Relating to the Recording Between Mr. O'Reilly and Barron Nix-Bey Pursuant to This Court's Prior Order." (Doc. #575). O'Reilly asks the Court to require the Government to redact from the December 2004 audio recording and transcript, all references to any crimes O'Reilly plans to commit after leaving prison.

Oral argument was heard on July 12, 2010.

For the reasons stated on the record, O'Reilly's motion is **DENIED**. The Government may introduce O'Reilly's future crimes to rebut O'Reilly's position that he could not act independently of co-Defendant Norman Duncan.

**IT IS ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: July 15, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on July 15, 2010.

s/Linda Vertriest \_\_\_\_\_  
Deputy Clerk